

REQUIREMENTS OF SYNAR LEGISLATION & REGULATION

In July 1992, Congress enacted the ADAMHSA Reorganization Act (P.L.102-321), which included an amendment (Section 1926) aimed at decreasing access to tobacco products among individuals under the age of 18. Named for its sponsor, Congressman Mike Synar of Oklahoma, the Synar Legislation, requires States to enact and enforce laws prohibiting any products to individuals under the age of 18. The legislation further requires States to conduct random, unannounced inspections of tobacco outlets and report these findings annually to the Secretary of the U.S. Department of Health and Human Services. This report must also include that year's enforcement activities. While the immediate goal of the legislation is to reduce the number of successful illegal purchases by minors, HHS's ultimate goal is to eliminate both illegal tobacco sales and tobacco use by minors.

To clarify the Synar Legislation, SAMHSA issued the Synar Regulation in January 1996. The Synar Regulation requires that each State's random, unannounced inspections employ a valid probability sample of all tobacco vendors in the State. In other words, these retailer compliance checks must be conducted in such a way as to be generalizable to the entire State. Each State's annual Substance Abuse Prevention and Treatment (SAPT) Block Grant application must also contain a strategy and suggested time frame for achieving an inspection failure rate of 20 percent or less of outlets accessible to minors. Each State then finalizes with SAMHSA a baseline rate and negotiates a set of interim targets for achieving the goal of 20 percent maximum inspection failure rate, based on the result of its random sampling of tobacco outlets.

In addition to the 50 States and the District of Columbia, eight other Federal jurisdictions are required to comply with the Synar Legislation and Regulation. They are American Samoa, Guam, the Marshall Islands, the Federated states of Micronesia, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, Puerto Rico, and the Virgin Islands.

A State or jurisdiction not in compliance with the legislation may lose a portion (40%) of its Federal SAPT block grant funds in accordance with the schedule provided in the law and further clarified in the Synar Regulation.

Successful implementation of the Synar Legislation and Regulations is important for several reasons. First, it is expected to reduce youth access to tobacco products, thereby reducing youth tobacco use and facilitating the reduction of both current and future health problems among adolescents. Second, the public supports measures to prevent the use of tobacco by young people, and, specifically, efforts to discourage tobacco sales to minors. Finally, successfully reducing the failure rates on random, unannounced inspections is important to the States so that they continue to receive their full SAPT Block Grant funding.